

**Phase 4  
Meadows of Culpeper**

**Stormwater Pollution Prevention Plan  
(SWPPP)**

**Prepared for:**

**K. Hovnanian Homes of Virginia, Inc.  
4090-A Lafayette Center Drive  
Chantilly, VA 20151**

**Prepared by:**

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Phase 4

# Meadows of Culpeper

## Stormwater Pollution Prevention Plan

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Meadows of Culpeper  
Phase 4

Culpeper County

Storm Water Pollution Prevention Plan (SWPPP)

In compliance with:

Storm Water Construction General Permit No. VAR104529  
Virginia Pollutant Discharge Elimination System  
(VPDES)

SWPPP Coordinator:

  
(Signature)

DANIEL A. LYONS  
(Name of Person)

LAND DEVELOPMENT MGR  
(Title)

K. Hovnanian Homes of Virginia, Inc.  
(Company)

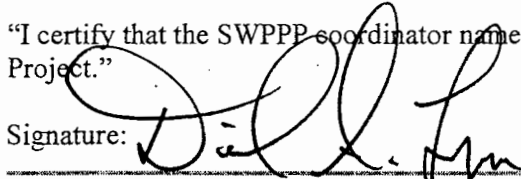
703-885-7114  
(Phone #)

571-237-3174  
(Cell Phone #/ Pager #)

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

"I certify that the SWPPP coordinator named above is my duly authorized representative for this Project."

Signature:



Date:

3/23/09

[Authorized Representative per Part III K 1 of the Permit]

Name: DANIEL A. LYONS

Title: LAND DEV. MGR.

Legal Entity: \_\_\_\_\_

Meadows of Culpeper Phase 4  
Storm Water Pollution Prevention Plan

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## I. Introduction

### A. SWPPP Purpose

The purpose of this Storm Water Pollution Prevention Plan (SWPPP) is to satisfy the requirement set forth by the Virginia Pollution Discharge Elimination System (VPDES) General Permit for Discharges of Storm Water from Construction Activities (VAR10), as defined in 9 VAC 25-180-10 et seq. The purpose of the SWPPP is to:

1. Identify potential sources of pollution, which may reasonably be expected to affect the quality of storm water discharges from the construction site.
2. To describe and ensure the implementation of practices which will be used to reduce pollutants in storm water discharges from the construction site, and to assure compliance with the terms and conditions of the permit.

### B. Background- General Permit No. VAR104529

The VAR10 is a general permit effective July 1, 2004 with an expiration date of June 30, 2009. The general permit governs storm water discharges from construction activities that cover an area greater than five acres. In order for operators to obtain coverage under this general permit, a Registration Statement (Exhibit B) must be submitted to the Virginia Department of Conservation and Recreation prior to commencement of construction activities.

The VAR10 allows for the discharge of storm water associated with construction activities from the date of coverage until the expiration of the permit.

In order for the operator to terminate coverage under the VAR10 permit, the operator must submit a Notice of Termination (Exhibit B) within 30 days of one of the conditions in Part I G. 1 being met. Authorization for the operator to discharge terminates seven days after the notice of termination is submitted.

## II. SWPPP Requirements

### A. General Requirements

#### 1. Deadlines

The SWPPP shall be prepared prior to submittal of the registration statement and provide compliance with the terms and schedule of the plan beginning with the initiation of construction activities.

#### 2. Incorporation of Other Plans

The SWPPP requirements are fulfilled by incorporating by reference other plans developed for this construction activity, provided that the incorporated plans meet or exceed the plan requirements of Part II D. The construction plans have been

approved by Stafford County. The construction plans meet current requirements set forth by the Virginia Erosion and Sediment Control Handbook, Third Edition. All plans that are incorporated into the SWPPP are enforceable under this permit.

### 3. SWPPP Administration

The SWPPP shall be completed and signed in accordance with Part III K of the permit. The SWPPP shall be made available onsite from the date of commencement of construction activity to the date of final stabilization. The SWPPP will be available to all operators, the Department of Conservation and Recreation, and other authorized agencies during site visits at a central location.

### 4. SWPPP Updates

The SWPPP shall be amended whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to surface waters and that has not already been addressed in the SWPPP. The SWPPP will be amended whenever deemed inadequate in properly controlling storm water runoff as determined during inspections or investigations by staff, or by local, state or federal officials. The revision of the SWPPP based on the results of an inspection along with the documentation of revision sent to the Department of Conservation and Recreation must be completed within seven calendar days following the inspection.

### 5. Potential Construction Site Storm Water Pollutants

Trade Name Material	Chemical/Physical Description	Storm Water Pollutants
Pesticides (insecticides, fungicides, herbicides, rodenticides)	Various colored to colorless liquid, powder, pellets, or grains	Chlorinated hydrocarbons, organophosphates, carbamates, arsenic
Fertilizer	Liquid or solid grains	Nitrogen, phosphorus
Plaster	White granules or powder	Calcium sulphate, calcium carbonate, sulfuric acid
Cleaning solvents	Colorless, blue, or yellow-green liquid	Perchloroethylene, methylene chloride, trichloroethylene, petroleum distillates
Asphalt	Black solid	Oil, petroleum distillates
Concrete	White solid	Limestone, sand
Glue, adhesives	White or yellow liquid	Polymers, epoxies
Paints	Various colored liquid	Metal oxides, Stoddard solvent, talc, calcium carbonate, arsenic
Curing compounds	Creamy white liquid	Naphtha
Wastewater from construction equipment washing	Water	Soil, oil & grease, solids
Wood preservatives	Clear amber or dark brown liquid	Stoddard solvent, petroleum distillates, arsenic, copper, chromium
Hydraulic oil/fluids	Brown oily petroleum hydrocarbon	Mineral oil

Gasoline	Colorless, pale brown or pink petroleum hydrocarbon	Benzene, ethyl benzene, toluene, xylene, MTBE
Diesel fuel	Clear, blue-green to yellow liquid	Petroleum distillate, oil & grease, naphthalene, xylenes
Kerosene	Pale yellow liquid petroleum hydrocarbon	Coal oil, petroleum distillates
Antifreeze/coolant	Clear green/yellow liquid	Ethylene glycol, propylene glycol, heavy metals (copper, zinc, lead)
Erosion	Soil particles	Soil, sediment

## B. Specific Requirements

### 1. Site Description

The items required by the Permit regarding site description (Part II D.1., Exhibit A) can be found in the project design plans, which are incorporated by reference into this SWPPP. A summary of the required elements is provided in Table 2, with a reference to the sheet number in the design plans where the required element can be located.

<i>Permit Part II D. 1...</i>	<i>Required Element</i>	<i>Location<sup>1</sup></i>
a.	Description of construction activity	15 of Site Plans
b.	Description of construction sequence of soil disturbing activity	15 of Site Plans
c.	Site area estimates, including limits of soil disturbance	15 of Site Plans
d.	Pre and post-construction runoff coefficients	14 of Site Plans
e.	Existing vegetation at the site	3 of Site Plans
f.	Description of other potential pollution sources, including vehicle fueling, chemical storage areas, sanitary waste facilities, construction debris, litter, etc.	See SWPPP
g.	Receiving water names, including the ultimate receiving water, and the areal extent of wetlands	3 of Site Plans
h.	Site map	16 of Site Plans
h.(1)	-Drainage patterns, pre and post-construction	16 of Site Plans
h.(2)	-Limits of clearing	16 of Site Plans
h.(3)	-Major structural and non-structural controls	15, 16 of Site Plans
h.(4)	-Stabilization areas, including types of vegetative cover	18 of Site Plans
h.(5)	-Surface waters, including wetlands	3 of Site Plans
h.(6)	-Storm water discharge points, with an outline of the associated drainage areas	16 of Site Plans



h.(7)	-Existing and planned: buildings, paved areas	3 of Site Plans
h.(8)	-Permanent storm water management facilities	16 of Site Plans
h.(9)	-Offsite material, waste, borrow, or equipment areas covered by the SWPPP	N/A
h.(10)	-Other potential pollution sources (as described in f. above)	II.A.5 of SWPPP
i.	Description of support activities covered by the Permit, including any dedicated concrete and asphalt plants	N/A

*[Attach to this SWPPP any required elements that are not found in the design plans]*

## 2. Controls and Measures

The Permit requires the implementation of various types of controls and measures that are implemented to control pollutants in storm water discharges from the project site. The Permit specifically requires the implementation of erosion and sediment control practices (both structural and non-structural), storm water management practices, and specific other controls to reduce pollutants. All E&S and SWM/BMP controls employed in this project were selected to meet and/or exceed State and local requirements and are detailed in the referenced design plans.

Several requirements of the Permit relating to controls (Part II D. 2., Exhibit A) are not included in the referenced design plans. A description of all the required items (including E&S and SWM/BMP) is presented below, along with how they are addressed in this SWPPP:

### a. Erosion and Sediment Control

The design plans for this project contain detailed information regarding erosion and sediment controls used in this project. Specifically E&S control measures can be found on Sheets 15- 16 of 21.

### b. SWM/BMP's

The design plans for this project contain detailed information regarding SWM/BMP controls used in this project. Specifically Stormwater Management Control Measures can be found on Sheet 15- 16 of 21.

### c. Fuels and Oils

- (i) On-site vehicle refueling will be conducted in a dedicated location away from access to surface waters. Since the location of fueling activities will periodically move during construction, the design plans do not contain a specific location. For each phase of work a location will be determined in the field and noted in the Site Inspection Log (Exhibit B). Containment berms will be located adjacent to the refueling area that will contain any inadvertent spills until they can be cleaned up. Any on-site storage tanks will have a means of secondary containment. In the event of a spill, it will be cleaned up immediately and the material, including any contaminated soil, will be

disposed of according to all federal, state, and local regulations.

- (ii) All vehicles on site will be monitored for leaks and receive regular preventative maintenance to reduce the chance of leakage.
- (iii) Petroleum products will be stored in tightly sealed containers, which are clearly labeled.
- (iv) Spill kits will be included with all fueling sources and maintenance activities.
- (v) Any asphalt substances used onsite will be applied according to the manufacturer's recommendation.

d. Solid Waste

No solid materials shall be discharged to surface water. Solid materials, including building materials, garbage, and debris shall be cleaned up daily and deposited into dumpsters, which will be periodically removed from the site and deposited into a landfill.

e. Fertilizer

- (i) Fertilizers will be applied only in the minimum amounts recommended by the manufacturer.
- (ii) Fertilizers will be worked into the soil to limit exposure to storm water.
- (iii) Fertilizers will be stored in a covered shed and partially used bags will be transferred to a sealable bin to avoid spills.

f. Paint and other Chemicals

- (i) All paint containers and curing compounds will be tightly sealed and stored when not required for use. Excess paint will not be discharged to the storm sewers, but will be properly disposed according to the manufacturer's instructions.
- (ii) Spray guns will be cleaned on a removable tarp.
- (iii) Chemicals used on-site are kept in small quantities and stored in closed containers undercover and kept out of direct contact with storm water. As with fuels and oils, any inadvertent spills will be cleaned up immediately and disposed of according to federal, state, and local regulations.

g. Concrete

- (i) Concrete trucks will not be allowed to wash out or discharge surplus concrete or drum wash water on the site, except in a specially designated concrete disposal area.
- (ii) Form release oil used for decorative stonework will be applied over a pallet covered with an absorbent material to collect excess fluid. The absorbent material will be replaced and disposed of properly when saturated.

h. Water Testing

When testing/cleaning of water supply lines, the discharge from the tested pipe will be collected and conveyed to a completed storm water pipe system for ultimate discharge into a sedimentation basin or SWM/BMP facility.

i. Sanitary Waste

Portable lavatories are located on-site and are serviced on a regular basis by a contractor. They will be located in upland areas away from direct contact with surface waters. Any spills occurring during servicing will be cleaned up immediately, including any contaminated soils, and disposed of according to all federal, state, and local regulations.

j. Grading and E&S Activities

A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be maintained and included in Exhibit C of SWPPP.

3. Spills

Oil, chemical or other hazardous substance spills in excess of reportable quantities, in accordance with Part I E. of the Permit (Exhibit A), will be reported to the Department of Environmental Quality and the Department of Conservation and Recreation in accordance with Part III G. of the Permit as soon as the discharge is discovered, but no later than 24 hours. A reportable quantity of oil is defined as a discharge to a surface water that causes a sheen, discoloration, and/or an emulsion. Reports will be made to the following:

Department of Conservation and Recreation  
1(804) 786-3998 (Lee Hill)  
For reports outside normal working hours leave a message.

Department of Conservation and Recreation  
1(804) 786-3998 (Lee Hill)

Virginia Department of Emergency Management  
Emergency Operations Center (EOC)  
Phone: 1-(800) 468-8892

Materials and equipment necessary for oil or chemical spill cleanup will be kept in the temporary material storage trailer onsite. Equipment will include, but not be limited to, brooms, dust pans, mops, rags, gloves, goggles, kitty litter, sand, saw dust, and plastic and metal trash containers.

All oil or other chemical spills will be cleaned up immediately upon discovery. Spills large enough to reach the storm sewers will be reported to the National Response Center at 1-800-424-8802.

#### 4. Maintenance

Maintenance of the erosion and sediment controls and the storm water management/BMP facilities incorporated into this project must be maintained on a regular basis to assure their continued effectiveness. This includes repairs to all erosion and sediment controls, including cleanout of all sediment basins and storm water management facilities at the required intervals. Those controls found to be ineffective during routine inspections (as described in the following section) shall be repaired before the next anticipated storm event or as soon as practicable. A more detailed description of the maintenance procedures is contained in the design plans 15 of 21, and is incorporated in the SWPPP by reference.

#### 5. Inspections

Regular inspections of the construction site shall be performed by personnel familiar with all aspects of the SWPPP and the employed control practices. Inspections shall include the review of all disturbed areas, structural and non-structural control measures, material storage areas, and vehicular access points. Inspections are to be performed at least once every 14 calendar days and within 48 hours of a runoff producing rain event. Areas that already have been stabilized or where runoff is unlikely due to frozen or snow covered ground shall be inspected at least on a monthly basis.

Inspections are intended to identify areas where the pollutant control measures at the site are ineffective and are allowing pollutants to enter surface waters. Receiving waters shall be inspected to ascertain whether control measures are effective in preventing significant impacts. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

If as a result of the inspection, the site conditions and/or control measures are found to have changed, the SWPPP shall be updated within a period of 7 calendar days. If control measures need to be modified to assure effectiveness or if additional measures are determined to be necessary, implementation shall be completed prior to the next anticipated storm event or as soon as practicable.

A report summarizing the inspections and the subsequent maintenance activities must be completed and maintained as part of the SWPPP. The inspection forms are included in Exhibit D. Required elements include major observations (including information on control measure performance and incidents of non-compliance), and information on the inspection personnel. If an inspection does not identify any incidents of non-compliance, then the certification statement contained in the inspection form will apply.

#### 6. Non-Storm Water Discharge

With the exception of flows from fire fighting activities, allowable sources of non-storm water discharges (Part I D. 2 of the Permit, Exhibit A) must be identified in the SWPPP. Appropriate measures must be taken to ensure that pollution prevention measures for the non-storm water component of the discharge are implemented. The non-storm water discharges associated with this project identified at this time are:

- a. Testing of Water as discussed under II, B, 2, h.
- b. *[Not used]*

#### C. Contractor Certification

All contractor's and/or sub-contractors who have responsibility for implementing and maintaining the controls identified in this SWPPP must sign the certification statement contained in Exhibit E. The person signing the certification must meet the signatory requirements, as presented in Part III K of the Permit (Exhibit A). The certifications must be maintained as part of the SWPPP.



Exhibit A

Storm Water Construction General Permit No. VAR104529



COMMONWEALTH of VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Northern Virginia Regional Office  
13901 Crown Court  
Woodbridge, VA 22193-1453  
(703) 583-3800 fax (703) 583-3801  
www.deq.state.va.us

Robert G. Burnley  
Director

Jeffery A. Steers  
Regional Director

October 27, 2004

Mr. Michael W. Knicely  
Washington Homes of Virginia, Inc.  
4090-A Lafayette Center Drive  
Chantilly, VA 20151

Subject: Construction Storm Water General Permit No. **VAR104529**  
Meadows of Culpeper, Phases 1A, 1B & 2 - 4 - Culpeper County

Dear Mr. Knicely:

We have received your complete Registration Statement and have determined that this project is eligible for coverage under the VPDES General Permit for Storm Water Discharges from Construction Sites. A copy of this Permit is enclosed. The effective date of the General Permit is July 1, 2004 and the expiration date is June 30, 2009. This project's date of coverage is July 1, 2004. Please read the permit carefully, as you are responsible for meeting all permit conditions.

A Notice of Termination Form has also been enclosed. If at any time you no longer require coverage under the General Permit for Construction Storm Water, you may submit the Termination Form to this office for processing.

Should you have any questions, please feel free to contact Amy Taylor at (703) 583-3852 or by e-mail at [agtaylor@deq.virginia.gov](mailto:agtaylor@deq.virginia.gov).

Respectfully,

Thomas A. Faha  
Water Permits Manager

Enclosure: Storm Water Construction General Permit  
Termination Form

cc: Culpeper County

2CU332



PART I  
DISCHARGE AUTHORIZATION AND SPECIAL CONDITIONS

A. Coverage under this permit.

1. During the period beginning with the date of coverage under this general permit and lasting until the permit's expiration date, the permittee is authorized to discharge storm water from construction activities.
2. This permit also authorizes storm water discharges from off-site support activities (e.g., concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) provided that:
  - a. The support activity is directly related to a construction site that is required to have VPDES permit coverage for discharges of storm water associated with construction activity;
  - b. The support activity is not a commercial operation serving multiple unrelated construction projects by different operators, and does not operate beyond the completion of the construction activity at the last construction project it supports; and
  - c. Appropriate controls and pollution prevention measures for the discharges from the support activity areas are identified in the storm water pollution prevention plan required for the construction activity under Part II D of this permit.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts.

B. Limitation on coverage.

1. Post-construction discharges. This permit does not authorize storm water discharges that originate from the site after construction activities have been completed and the site, including any temporary support activity site, has undergone final stabilization. Post-construction industrial storm water discharges may need to be covered by a separate VPDES permit.
2. Discharges mixed with nonstorm water. This permit does not authorize discharges that are mixed with sources of nonstorm water, other than those discharges which are identified in Part I D 2 (Exceptions to prohibition of nonstorm water discharges) and are in compliance with Part II D 5 (Nonstorm water discharge management).
3. Discharges covered by another permit. This permit does not authorize storm water discharges associated with construction activity that have been covered under an individual permit or required to obtain coverage under an alternative general permit in accordance with Part III X.
4. TMDL limitation. Discharges to waters for which a "total maximum daily load" (TMDL) allocation for sediment or a parameter that addresses sediment (such as total suspended solids, turbidity, or siltation) has been established by the board and approved by EPA are not eligible for coverage under this permit unless the storm water pollution prevention plan (SWPPP) developed by the operator incorporates measures and controls that are consistent with the assumptions and requirements of such TMDL. To be eligible for coverage under this general permit, the SWPPP must incorporate any conditions applicable to discharges from the construction site that are necessary for consistency with the assumptions and requirements of the TMDL. If a specific wasteload allocation has been established that would apply to discharges from the construction site, the operator must incorporate that allocation into the SWPPP and implement necessary steps to meet that allocation.

C. Commingled discharges. Any discharge authorized by a different VPDES permit may be commingled with discharges authorized by this permit.

D. Prohibition of nonstorm water discharges.

1. Except as provided in Parts I A 2, I C and I D 2, all discharges covered by this permit shall be composed entirely of storm water associated with construction activity.
2. The following nonstorm water discharges from active construction sites are authorized by this permit provided the nonstorm water component of the discharge is in compliance with Part II D 5 (Nonstorm water discharges):
  - a. Discharges from fire fighting activities;
  - b. Fire hydrant flushings;
  - c. Waters used to wash vehicles where detergents are not used;
  - d. Water used to control dust;
  - e. Potable water sources, including waterline flushings;
  - f. Water used for hydrostatic testing of new pipeline construction;
  - g. Routine external building wash down which does not use detergents;
  - h. Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used;
  - i. Uncontaminated air conditioning or compressor condensate;
  - j. Uncontaminated ground water or spring water;
  - k. Foundation or footing drains where flows are not contaminated with process materials such as solvents;
  - l. Uncontaminated excavation dewatering, and
  - m. Landscape irrigation.

E. Releases of hazardous substances or oil in excess of reportable quantities.

The discharge of hazardous substances or oil in the storm water discharges from the construction site shall be prevented or minimized in accordance with the storm water pollution prevention plan for the site. This permit does not relieve the permittee of the reporting requirements of 40 CFR Part 110 (2002), 40 CFR Part 117 (2002) and 40 CFR Part 302 (2002) or § 62.1-44.34:19 of the Code of Virginia.

Where a release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110 (2002), 40 CFR Part 117 (2002) or 40 CFR Part 302 (2002) occurs during a 24-hour period:

1. The permittee is required to notify the department in accordance with the requirements of Part III G as soon as he has knowledge of the discharge;
2. Where a release enters a municipal separate storm sewer system (MS4), the permittee shall also notify the owner of the MS4; and

3. The storm water pollution prevention plan required under Part II D of this permit must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.

F. Spills.

This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

G. Termination of permit coverage.

1. The operator of the construction activity may only submit a notice of termination after one or more of the following conditions have been met:
  - a. Final stabilization has been achieved on all portions of the site for which the operator is responsible;
  - b. Another operator has assumed control over all areas of the site that have not been finally stabilized;
  - c. Coverage under an alternative VPDES permit has been obtained; or
  - d. For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.
2. The notice of termination must be submitted within 30 days of one of the conditions in Part I G 1 being met. Authorization to discharge terminates seven days after the notice of termination is submitted.
3. The notice of termination shall be signed in accordance with Part III K of this permit.

- H. Water quality protection. The permittee must select, install, implement and maintain best management practices (BMPs) at the construction site that minimize pollutants in the discharge as necessary to meet applicable water quality standards. If there is evidence indicating that the storm water discharges authorized by this permit are causing, have the reasonable potential to cause, or are contributing to an excursion above an applicable water quality standard, or are causing downstream pollution (as defined in § 62.1-44.3 of the Code of Virginia), the board may take appropriate enforcement action, may require the permittee to include and implement appropriate controls in the SWPPP to correct the problem, and/or may require the permittee to obtain an individual permit in accordance with 9 VAC 25-31-170 B 3.

PART II  
STORM WATER POLLUTION PREVENTION PLAN

A storm water pollution prevention plan (SWPPP) shall be developed and implemented for the construction activity covered by this permit. SWPPPs shall be prepared in accordance with good engineering practices. The SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the construction site. In addition, the SWPPP shall describe and ensure the implementation of practices which will be used to reduce pollutants in storm water discharges from the construction site, and to assure compliance with the terms and conditions of this permit.

The SWPPP requirements of this general permit may be fulfilled by incorporating by reference other state, tribal or local plans such as an erosion and sediment control (ESC) plan, a spill prevention control and countermeasure (SPCC) plan developed for the site under § 311 of the federal Clean Water Act or best management practices (BMP) programs otherwise required for the facility provided that the incorporated plan meets or exceeds the SWPPP requirements of Part II D. If an erosion and sediment control plan for the construction activity is being incorporated by reference, the referenced plan must be approved by the locality in which the construction activity is to occur or by another appropriate plan approving authority authorized under the Erosion and Sediment Control Regulations (4 VAC 50-30) prior to the commencement of construction. All plans incorporated by reference into the SWPPP become enforceable under this permit. If a plan incorporated by reference does not contain all of the required elements of the SWPPP of Part II D, the permittee must develop the missing elements and include them in the required SWPPP.

Once a definable area has been finally stabilized, the operator may mark this on the SWPPP and no further SWPPP or inspection requirements apply to that portion of the site (e.g., earth disturbing activities around one of three buildings in a complex are done and the area is finally stabilized; one mile of a roadway or pipeline project is done and finally stabilized, etc.).

The operator must implement the SWPPP as written from commencement of construction activity until final stabilization is complete.

A. Deadlines for SWPPP preparation and compliance.

1. The SWPPP shall be prepared prior to submittal of the registration statement and provide for compliance with the terms and schedule of the plan beginning with the initiation of construction activities.
2. For ongoing construction activity involving a change of operator, the new operator shall accept and maintain the existing SWPPP, or prepare and implement a new SWPPP prior to taking over operations at the site.

B. Signature, plan review and making plans available.

1. The SWPPP shall be signed in accordance with Part III K.
2. The SWPPP shall be retained, along with a copy of this permit at the construction site from the date of commencement of construction activity to the date of final stabilization. Permittees with day-to-day operation control over SWPPP implementation shall have a copy of the plan available at a central location on-site for the use of all operators and those identified as having

responsibilities under the plan whenever they are on the construction site. The SWPPP must be made available, in its entirety, to the department for review at the time of an on-site inspection.

3. The permittee shall make SWPPPs available upon request to the department; a state or local agency approving sediment and erosion plans, grading plans, or storm water management plans; local government officials; or the operator of a municipal separate storm sewer system receiving discharges from the site.

C. Maintaining an updated SWPPP.

1. The permittee shall amend the SWPPP whenever there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants to surface waters and that has not been previously addressed in the SWPPP.
2. The SWPPP must be amended if during inspections or investigations by site staff, or by local, state or federal officials, it is determined that the discharges are causing water quality exceedances, or the SWPPP is ineffective in eliminating or significantly minimizing pollutants in storm water discharges from the construction site.
3. Based on the results of an inspection, the SWPPP must be modified as necessary to include additional or modified BMPs designed to correct problems identified. Revisions to the SWPPP must be completed within seven calendar days following the inspection. Implementation of these additional or modified BMPs must be accomplished as described in Part II D 3 b.
4. The SWPPP must clearly identify for each measure identified in the plan, the contractor(s) or subcontractor(s) that will implement the measure. The SWPPP shall be amended to identify any new contractor that will implement a measure of the plan.

D. Storm water pollution prevention plan contents.

The SWPPP shall include the following items:

1. Site and activity description. Each SWPPP shall provide the following information:
  - a. A description of the nature of the construction activity, including the function of the project (e.g., low density residential, shopping mall, highway, etc.);
  - b. The intended sequence and timing of activities that disturb soils at the site (e.g., grubbing, excavation, grading, utilities and infrastructure installation).
  - c. Estimates of the total area expected to be disturbed by excavation, grading, or other construction activities including off-site borrow and fill areas;
  - d. A description of any other potential pollution sources, such as vehicle fueling, storage of fertilizers or chemicals, sanitary waste facilities, etc.
  - e. Identification of the nearest receiving waters at or near the construction site that will receive discharges from disturbed areas of the project;
  - f. The location and description on any discharge associated with industrial activity other than construction at the site. This includes storm water discharges from dedicated asphalt plants and dedicated concrete plants that are covered by this permit.
  - g. A site map indicating:

- (1) Directions of storm water flow and approximate slopes anticipated after major grading activities;
  - (2) Areas of soil disturbance and areas of the site which will not be disturbed;
  - (3) Locations of major structural and nonstructural controls identified in the SWPPP, including those that will be permanent controls that will remain after construction activities have been completed;
  - (4) Locations where stabilization practices are expected to occur;
  - (5) Surface water bodies (including wetlands);
  - (6) Locations where storm water discharges to a surface water;
  - (7) Locations of off-site material, waste, borrow or equipment storage areas covered by the plan;
  - (8) Locations of other potential pollution sources, such as vehicle fueling, storage of chemicals, sanitary waste facilities, etc.; and
  - (9) Areas where final stabilization has been accomplished and no further construction-phase permit requirements apply.
2. Controls to reduce pollutants. The SWPPP shall include a description of all pollution control measures that will be implemented as part of the construction activity to control pollutants in storm water discharges. For each major activity identified in the project description, the SWPPP shall clearly describe appropriate control measures, the general sequencing during the construction process in which the measures will be implemented, and which operator is responsible for the control measure's implementation.
- a. Erosion and sediment controls.
- (1) Stabilization practices. The SWPPP shall include a description of interim and permanent stabilization practices for the site. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include, but are not limited to: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, riprap, gabions, facines, biologs and other appropriate measures. Use of impervious surfaces for stabilization should be avoided.
    - (a) A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be maintained and included in the SWPPP.
    - (b) Except as provided in Part II D 2 a (1) (c), (d) and (e), stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than seven days after the construction activity in that portion of the site has temporarily or permanently ceased.
    - (c) Where the initiation of stabilization measures by the seventh day after construction activity temporary or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures shall be initiated as soon as practicable.

- (d) Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 30 days, temporary stabilization measures do not have to be initiated on that portion of the site.
  - (e) In drought-stricken areas where initiating perennial vegetative stabilization measures is not possible within seven days after construction activity has temporarily or permanently ceased, final vegetative stabilization measures shall be initiated as soon as practicable.
- (2) Structural practices. The SWPPP shall include a description of structural practices to divert flows from exposed soils, retain/detain flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include, but are not limited to: silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be located on upland soils to the degree attainable. The department encourages the use of a combination of sediment and erosion control measures in order to achieve maximum pollutant removal.
- (a) Sediment basins: For common drainage locations that serve an area with three or more acres disturbed at one time, a temporary (or permanent) sediment basin providing 3,618 cubic feet of storage per acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. The 3,618 cubic feet of storage area per acre drained does not apply to flows from off-site areas and flows from on-site areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. In determining whether installing a sediment basin is attainable, the permittee may consider factors such as site soils, slope, available area on site, etc. In any event, the permittee must consider public safety, especially as it relates to children, as a design factor for the sediment basin and alternative sediment controls shall be used where site limitations would preclude a safe design.
  - (b) For drainage locations which serve three or more acres at one time and where a temporary sediment basin or equivalent controls is not attainable, smaller sediment basins and/or sediment traps should be used. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.
  - (c) For drainage locations serving less than three acres, smaller sediment basins or sediment traps or both should be used. At a minimum, silt fences, vegetative buffer strips or equivalent sediment controls are required for all downslope boundaries, and for those side slope boundaries deemed appropriate as dictated by individual site conditions, of the construction area unless a sediment basin providing storage for 3,618 cubic feet of storage per acre drained is provided.
- b. Management practices.
- (1) All control measures must be properly selected, installed, and maintained in accordance with manufacturer specifications and good engineering practices. If periodic inspections



or other information indicates a control has been used inappropriately, or incorrectly, the permittee must replace or modify the control for site situations as soon as practicable.

- (2) If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.
- (3) Litter, construction debris, and construction chemicals exposed to storm water shall be prevented from becoming a pollutant source in storm water discharges.

c. Storm water management.

- (1) The SWPPP shall include a description of all post-construction storm water management measures that will be installed during the construction process to control pollutants in storm water discharges after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. Such measures must be designed and installed in accordance with applicable local and/or state requirements.
- (2) Such measures may include, but are not limited to: storm water detention structures (including dry ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff on-site; storm water wetlands; sand filters; bioretention systems; water quality structures; and sequential systems (which combine several practices). The SWPPP shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.
- (3) Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel to provide a nonerosive flow velocity from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g., no significant changes in the hydrological regime of the receiving water).

d. Other controls.

- (1) The SWPPP shall describe measures to prevent the discharge of solid materials, including building materials, garbage, and debris to surface waters of the state, except as authorized by a Clean Water Act § 404 permit.
- (2) Where construction vehicle access routes intersect paved public roads, provisions shall be made to minimize the transport of sediment by vehicular tracking onto the paved surface. Where sediment is transported onto a public road surface, the road shall be cleaned thoroughly at the end of each day. Sediment shall be removed from the roads by shoveling or sweeping and transported to a sediment control disposal area. Street washing shall be allowed only after sediment is removed in this manner.
- (3) The SWPPP shall ensure and demonstrate compliance with applicable state or local waste disposal, sanitary sewer or septic system regulations.
- (4) The SWPPP shall include a description of construction and waste materials expected to be stored on-site with updates as appropriate. The plan shall also include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to storm water, and for spill prevention and response.



- (5) The SWPPP shall include a description of pollutant sources from areas other than construction (including storm water discharges from dedicated asphalt plants and dedicated concrete plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

e. Applicable state or local programs.

The SWPPP shall be consistent with all applicable state or local requirements for soil and erosion control and storm water management including updates to the SWPPP as necessary to reflect any revisions to applicable state or local requirements for soil and erosion control.

3. Maintenance of controls.

- a. The SWPPP must include a description and schedule of procedures to maintain in good and effective operating conditions vegetation, erosion and sediment control measures and other protective measures during construction identified in the site plan. If site inspections required by Part II D 4 identify BMPs that are not operating effectively, maintenance shall be performed before the next anticipated storm event, or as soon as practicable to maintain the continued effectiveness of storm water controls.
- b. If existing BMPs need to be modified or if additional BMPs are necessary for any reason, implementation shall be completed before the next anticipated storm event. If implementation before the next anticipated storm event is impracticable, the situation shall be documented in the SWPPP and alternative BMPs shall be implemented as soon as practicable.
- c. Sediment must be removed from sediment traps or sedimentation ponds when design capacity has been reduced by 25%.

4. Inspections. Inspections by qualified personnel must be conducted of all areas of the site disturbed by construction activity, and areas used for storage of materials that are exposed to storm water. "Qualified personnel" means a person knowledgeable in the principles and practice of erosion and sediment controls, such as a licensed professional engineer, responsible land disturber (RLD), or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality, and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges from the construction activity.

- a. Inspections shall be conducted at least once every 14 calendar days and within 48 hours of the end of any runoff producing storm event. Where areas have been finally or temporarily stabilized or runoff is unlikely due to winter conditions (e.g., the site is covered with snow or ice, or frozen ground exists) such inspections shall be conducted at least once every month.
- b. Inspectors must look for evidence of, or the potential for, pollutants entering the storm water conveyance system. Erosion and sediment control measures identified in the SWPPP shall be observed to ensure proper operation. Discharge locations where accessible shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Where discharge locations are inaccessible, nearby downstream locations shall be inspected to the extent that such inspections are practicable. Locations where vehicles enter or exit the site shall be inspected for evidence of off-site sediment tracking.

- c. Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may limit the access of inspection personnel to the areas described in Part II D 4 b. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and increase the potential for erosion. In these circumstances, controls must be inspected on the same frequencies as other construction projects, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 miles above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described above. The conditions of the controls along each inspected 0.25-mile segment may be considered as representative of the condition of controls along that reach extending from the end of the 0.25-mile segment to either the end of the next 0.25-mile segment, or to the end of the project, whichever occurs first. Inspection locations must be listed in the report required by Part II D 4 e.
- d. Based on the results of the inspection, the site and activity description identified in the plan in accordance with Part II D 1 of this permit and pollution prevention measures identified in the SWPPP in accordance with Part II D 2 of this permit shall be revised as appropriate within seven calendar days following the inspection.
- e. A report summarizing the scope of the inspection, names and qualifications of personnel making the inspection, the dates of the inspection, major observations relating to the implementation of the SWPPP, and actions taken in accordance with Part II D 4 d of the permit shall be made and retained as part of the SWPPP in accordance with Part III B of this permit. Major observations should include:
- (1) The location(s) of discharges of sediment or other pollutants from the site;
  - (2) Location(s) of BMPs that need to be maintained;
  - (3) Location(s) of BMPs that failed to operate as designed or proved inadequate for a particular location;
  - (4) Location(s) where additional BMPs are needed that did not exist at the time of inspection; and
  - (5) Corrective action required including any changes to the SWPPP that are necessary and implementation dates.

The reports shall identify any incidents of noncompliance. Where a report does not identify any incidents of noncompliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part III K of this permit.

5. Nonstorm water discharge management. The SWPPP shall identify all allowable sources of nonstorm water discharges listed in Part I D 2 of this permit that are combined with storm water discharges from the construction activity at the site, except for flows from fire fighting activities. The SWPPP shall identify and ensure the implementation of appropriate pollution prevention measures for the nonstorm water components of the discharge.

PART III  
CONDITIONS APPLICABLE TO ALL VPDES PERMITS

**NOTE:** Monitoring is not required for this permit. If you choose to monitor your storm water discharges or BMPs, you must comply with the requirements of subsections A, B, and C, as appropriate.

A. Monitoring.

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.
2. Monitoring shall be conducted according to procedures approved under 40 CFR Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.
3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will ensure accuracy of measurements.

B. Records.

1. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling or measurements;
  - c. The date(s) and time(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.
2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the registration statement for this permit, for a period of at least three years from the date of the sample, measurement, report or request for coverage. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the board.

C. Reporting monitoring results.

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to the department's regional office.
2. Monitoring results shall be reported on a discharge monitoring report (DMR) or on forms provided, approved or specified by the department.

3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under 40 CFR Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the department.
  4. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.
- D. Duty to provide information. The permittee shall furnish to the department, within a reasonable time, any information which the board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the department, upon request, copies of records required to be kept by this permit.
- E. Compliance schedule reports. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- F. Unauthorized discharges. Except in compliance with this permit or another permit issued by the board, it shall be unlawful for any person to:
1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or
  2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.
- G. Reports of unauthorized discharges. Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part III F, or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part III F, shall notify the department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the department within five days of discovery of the discharge. The written report shall contain:
1. A description of the nature and location of the discharge;
  2. The cause of the discharge;
  3. The date on which the discharge occurred;
  4. The length of time that the discharge continued;
  5. The volume of the discharge;
  6. If the discharge is continuing, how long it is expected to continue;
  7. If the discharge is continuing, what the expected total volume of the discharge will be; and

8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit.

Discharges reportable to the department under the immediate reporting requirements of other regulations are exempted from this requirement.

- H. Reports of unusual or extraordinary discharges. If any unusual or extraordinary discharge including a bypass or upset should occur from a treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse effects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the department within five days of discovery of the discharge in accordance with Part III I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:
  1. Unusual spillage of materials resulting directly or indirectly from processing operations;
  2. Breakdown of processing or accessory equipment;
  3. Failure or taking out of service some or all of the treatment works; and
  4. Flooding or other acts of nature.
- I. Reports of noncompliance. The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.
  1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
    - a. Any unanticipated bypass; and
    - b. Any upset which causes a discharge to surface waters.
  2. A written report shall be submitted within five days and shall contain:
    - a. A description of the noncompliance and its cause;
    - b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
    - c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.The board may waive the written report on a case-by-case basis for reports of noncompliance under Part III I if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.
  3. The permittee shall report all instances of noncompliance not reported under Part III I 1 or 2 in writing at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part III I 2.

NOTE: The immediate (within 24 hours) reports required in Part III G, H and I may be made to the department's regional office. Reports may be made by telephone or by fax. For reports outside normal working hours, leaving a recorded message shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Management maintains a 24 hour telephone service at 1-800-468-8892.

## J. Notice of planned changes.

1. The permittee shall give notice to the department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
  - a. The permittee plans an alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
    - (1) After promulgation of standards of performance under § 306 of the federal Clean Water Act which are applicable to such source; or
    - (2) After proposal of standards of performance in accordance with § 306 of the Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with § 306 within 120 days of their proposal;
  - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or
  - c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
2. The permittee shall give advance notice to the department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

## K. Signatory requirements.

1. Registration statement. All registration statements shall be signed as follows:
  - a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy-making or decision-making functions for the corporation; or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
  - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
  - c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a public agency includes: (i) the chief executive officer of the agency or (ii) a senior executive

officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits and other information requested by the board shall be signed by a person described in Part III K 1 or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described in Part III K 1;
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and
  - c. The written authorization is submitted to the department.

3. Changes to authorization. If an authorization under Part III K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part III K 2 shall be submitted to the department prior to or together with any reports or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Part III K 1 or 2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- L. Duty to comply. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under § 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under § 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

- M. Duty to reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a new registration statement at least 90 days before the expiration date of the existing permit, unless permission for a later date has been granted by the board. The board shall not grant permission for registration statements to be submitted later than the expiration date of the existing permit.



- N. Effect of a permit. This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.
- O. State law. Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by § 510 of the Clean Water Act. Except as provided in permit conditions on "bypassing" (Part III U), and "upset" (Part III V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.
- P. Oil and hazardous substance liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under §§ 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.
- Q. Proper operation and maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.
- R. Disposal of solids or sludges. Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.
- S. Duty to mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- T. Need to halt or reduce activity not a defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- U. Bypass.
1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to ensure efficient operation. These bypasses are not subject to the provisions of Part III U 2 and 3.
  2. Notice.
    - a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least 10 days before the date of the bypass.
    - b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part III I.
  3. Prohibition of bypass.



a. Bypass is prohibited, and the board may take enforcement action against a permittee for bypass unless:

- (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
- (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- (3) The permittee submitted notices as required under Part III U 2.

b. The board may approve an anticipated bypass, after considering its adverse effects, if the board determines that it will meet the three conditions listed in Part III U 3 a.

V. Upset.

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology-based permit effluent limitations if the requirements of Part III V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.
2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that:
  - a. An upset occurred and that the permittee can identify the cause(s) of the upset;
  - b. The permitted facility was at the time being properly operated;
  - c. The permittee submitted notice of the upset as required in Part III I; and
  - d. The permittee complied with any remedial measures required under Part III S.
3. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and entry. The permittee shall allow the director, or an authorized representative, upon presentation of credentials and other documents as may be required by law to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of ensuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection unreasonable during an emergency.

- X. Permit actions. Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Y. Transfer of permits.
  - 1. Permits are not transferable to any person except after notice to the department. Except as provided in Part III Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.
  - 2. As an alternative to transfers under Part III Y 1, this permit may be automatically transferred to a new permittee if:
    - a. The current permittee notifies the department at least 30 days in advance of the proposed transfer of the title to the facility or property;
    - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
    - c. The board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part III Y 2 b.
- Z. Severability. The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.



Exhibit B

Forms:

Registration Statement

Notice of Termination

2CU352

DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER DIVISION  
PERMIT APPLICATION FEE  
EFFECTIVE JULY 1, 2002

INSTRUCTIONS

Applicants for individual Virginia Pollutant Discharge Elimination System (VPDES), Virginia Pollution Abatement (VPA), Virginia Water Protection (VWP), Surface Water Withdrawal (SWW), and Ground Water Withdrawal (GWW) Permits are required to pay permit application fees except farming operations engaged in production for market. Fees are also required for registration for coverage under General Permits except for the general permits for sewage treatment systems with discharges of 1,000 gallons per day (GPD) or less and for Corrective Action Plans for leaking underground storage tanks. Except for VWP permits, fees must be paid when applications for permit issuance, reissuance or modification are submitted. Applicants for VWP permits will be notified by the DEQ of the fee due. Applications will be considered incomplete if the proper fee is not paid and will not be processed until the fee is received.

The permit fee schedule is included with this form. Fees for permit issuance or reissuance and for permit modification are included. Once you have determined the fee for the type of application you are submitting, complete this form. The original copy of the form and your check or money order payable to "Treasurer of Virginia" should be mailed to the Department of Environmental Quality, Receipts Control, P.O. Box 10150, Richmond, VA 23240. A copy of the form and a copy of your check or money order should accompany the permit application. You should retain a copy for your records. Please direct any questions regarding this form or fee payment to the DEQ Office to which you are submitting your application.

APPLICANT NAME: WASHINGTON HOMES INC. OF VA. SSN/FIN: 52-0898765

ADDRESS: 4090-A LAFAYETTE CENTER DR. DAYTIME PHONE: (703) 885-7100  
CHANTILLY, VA. 20151 Area Code

FACILITY/ACTIVITY NAME: MEADOWS OF CULPEPER PHASE 1A, 1B, 2, 3 & 4

LOCATION: CULPEPER, VA.

TYPE OF PERMIT APPLIED FOR  
(from Fee Schedule): GENERAL PERMIT

TYPE OF ACTION: ☒ New Issuance ☐ Reissuance ☐ Modification

AMOUNT OF FEE SUBMITTED  
(from Fee Schedule): \$ 500.00

EXISTING PERMIT NUMBER (if applicable): \_\_\_\_\_

DEQ OFFICE TO WHICH APPLICATION SUBMITTED (check one)

- |  |  |  |   |   |
|--|--|--|---|---|
| <input type="checkbox"/> Abingdon/SWRO | <input type="checkbox"/> Harrisonburg/VRO      | <input type="checkbox"/> Kilmarnock/KO | <input checked="" type="checkbox"/> Woodbridge/NVRO | <input type="checkbox"/> Lynchburg/SCRO |
| <input type="checkbox"/> Richmond/PRO  | <input type="checkbox"/> Richmond/Headquarters | <input type="checkbox"/> Roanoke/WCRO  | <input type="checkbox"/> Virginia Beach/TRO         |   |

FOR DEQ USE ONLY

Date: \_\_\_\_\_  
DC #: \_\_\_\_\_

Original Form and Check - DEQ Accounting Office  
Copy of Form and Copy of Check - DEQ Regional or Permit Program Office

2CU353

VPDES GENERAL PERMIT REGISTRATION STATEMENT FOR STORM  
WATER  
DISCHARGES FROM CONSTRUCTION ACTIVITIES [VAR10]

---

**1. Construction Activity Operator**

Name: WASHINGTON HOMES INC. OF VIRGINIA  
Mailing Address: 4090-A LAFAYETTE CENTER DRIVE  
City: CHANTILLY State: VA Zip: 20151 - Phone: (703)631-0834 Ext:

**2. Location of Construction Activity**

Name: MEADOWS OF CULPEPER PHASES 1A,1B,2,3 & 4  
Address: BELLE AVENUE  
City: VA State: Zip: 22701 -  
Latitude: Longitude:

**3. Location of all Offsite Support Activities to be Covered Under The Permit**

Name:  
Address:  
City: State: VA Zip: -  
Latitude: Longitude:

**4. Status:** Private

**5. Is Storm Water Runoff Discharged to a Municipal Separate Storm Sewer System (MS4)?:** No  
If yes, name of the MS4 operator:

**6. Receiving Water Body of Direct Discharge or Municipal Separate Storm Sewer System  
(e.g. Clear Creek or Unnamed Tributary to Clear Creek):** HIDENS BRANCH

**7. Project Start Date:** 15-AUG-03

**8. Total Land Area of Site (acres):** 82.9

**9. Estimated Area to be Disturbed (acres):** 82.9

**10. Map:** Attach a topographic map or other map which clearly shows the location of the construction activity, the area to be disturbed, and the receiving stream(s) for the storm water discharge(s).

**11. Has a Storm Water Pollution Prevention Plan Been Prepared in Accordance with the Requirements of the VPDES General Permit for Storm Water Discharges From Construction Activities? :** Yes

If no, explain:

**12. Has an Erosion and Sediment Control Plan for the Construction Activity Been Approved by an Appropriate State or Local Plan Approving Authority? :** Yes

If not, is this activity exempt from the plan requirements of the Virginia Erosion and Sediment Control Regulation? :

Give the name of approving authority or cite the basis for plan exemption : TOWN OF CULPEPER

**13. Certification:** "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Print Name Michael W. Kucera Title

Project Mgr.

2CU354

Signature

Date

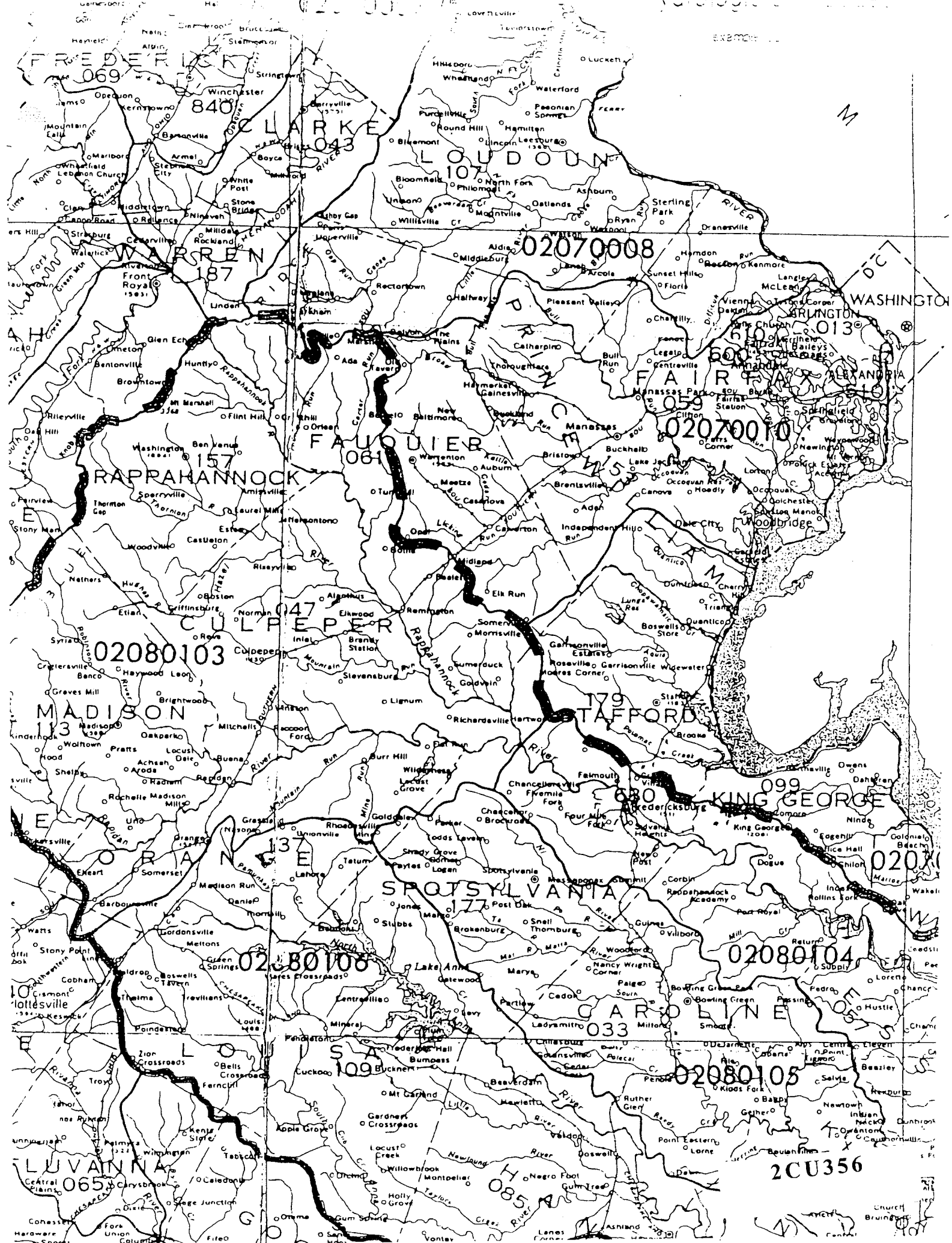
**For Department of Environmental Quality Use Only**

Deq-Water Form SWGP99-004-REG(6/99)

Accepted/Not Accepted by \_\_\_\_\_ Date \_\_\_\_\_

Basin \_\_\_\_\_ Stream Class \_\_\_\_\_ Section \_\_\_\_\_ Special Standards \_\_\_\_\_

2CU355









Department of Conservation & Recreation  
CONSERVING VIRGINIA'S NATURAL & RECREATIONAL RESOURCES

**VSMP General Permit Notice Of Termination -  
Construction Activity Storm Water Discharges (DCR01)**

(Please Type or Print All Information)

**1. Construction Activity Operator**

Name: K. Hounanian Homes of Virginia  
Mailing Address: 4090-A Lafayette Center Dr.  
City: Chantilly State: VA Zip: 20151 Phone: 703-885-7100

**2. Location of Construction Activity**

Name: Meadows of Culpeper Phase 1A, 1B, 2, 3, & 4  
Address: Belle Avenue  
City: Culpeper State: VA Zip: 22701  
If street address unavailable: Latitude \_\_\_\_\_ Longitude \_\_\_\_\_

**3. VSMP Storm Water General Permit Number:** VAR104529

**4. The Reason for Terminating Coverage Under the General Permit** (Note: The construction activity operator may only submit a Notice of Termination after one or more of the conditions below have been met):

- ☐ Final stabilization has been achieved on all portions of the site for which the operator is responsible;
- ☐ Another operator has assumed control over all areas of the site that have not been finally stabilized;
- ☐ Coverage under an alternative VPDES or VSMP permit has been obtained; or
- ☐ For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.

**NOTE:** The Notice of Termination must be submitted within 30 days of one of the above conditions being met. Authorization to discharge terminates seven (7) days after the Notice of Termination is submitted. For the purposes of this permit, a Notice of Termination that is mailed is considered to be submitted once it is postmarked.

**5. Certification:**

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations."

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

(Please sign in INK. The person signing this form must be associated with the operator identified in Item #1 above.)

**For Department of Conservation and Recreation Use Only**

Accepted/Not Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

**INSTRUCTIONS for FORM DCR 199-147**

**VSMP General Permit Notice Of Termination - Construction Activity Storm Water Discharges**

**General**

A VSMP General Permit Notice of Termination must be submitted when an operator no longer wishes to be covered under a VSMP General Permit for Storm Water Discharges From Construction Activities.

**Section 1 Activity Operator Information**

Give the legal name of the person, firm, public organization, or any other entity that was issued the general permit for the site described in this Notice of Termination. Do not use a colloquial name. Enter the complete address and phone number of the operator.

**Section 2 Activity Location Information**

Enter the activity's official name and complete street address, including city, state and ZIP code. If the activity or site lacks a street address, indicate the latitude and longitude to the nearest 15 seconds of the approximate center of the site.

**Section 3 Permit Information**

Enter the existing VSMP Storm Water General Permit number assigned to the activity or site identified in Section 1.

**Section 4 Reason for Termination**

Check the appropriate statement indicating the reason for submitting this Notice of Termination. The Notice of Termination may only be submitted after one or more of the following conditions have been met:

1. Final stabilization has been achieved on all portions of the site for which the operator is responsible;
2. Another operator has assumed control over all areas of the site that have not been finally stabilized;
3. Coverage under an alternative VPDES or VSMP permit has been obtained; or
4. For residential construction only, temporary stabilization has been completed and the residence has been transferred to the homeowner.

The Notice of Termination must be submitted within 30 days of one of the above conditions being met.

Authorization to discharge terminates seven (7) days after the Notice of Termination is submitted. For the purposes of this permit, a Notice of Termination that is mailed is considered to be submitted once it is postmarked.

**Section 5 Certification**

State statutes provide for severe penalties for submitting false information on this Notice of Termination.

State regulations require this Notice of Termination to be signed as follows:

For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (2) the manager of one or more manufacturing, production, or operating facilities provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures; **[Note: if the title of the individual signing this form is "Plant Manager", submit a written verification that the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures];**

For a partnership or sole proprietorship: by a general partner or the proprietor; or

For a municipality, state, Federal, or other public facility: by either a principal executive officer or ranking elected official.

**The Department of Conservation and Recreation reserves the right to request additional information not directly addressed by the registration statement if, in its discretion, a facility or operation poses a potential impact on water quality.**



Exhibit C

Record of Land Disturbance

2CU361

## SWPPP Record of Land Disturbance

[illegible]

County Plan Number: \_\_\_\_\_

Project Name: Meadows of Culpeper Phase 4

2CU362



Exhibit D

Record of Inspections

2CU364



**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Phase IV

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Along start of Meadow Lark Dr	SF	Y	N	Y	fix fence in down areas
Corner of Meadow Lark + Cranberry Ln	SF	Y	N	Y	Fence down @ corner
Silver Bell Ct	SF	Y	N	Y	fence down along road
Corner of Gold Finch & Meadow Lark	SF	Y	N	Y	fence down @ corner
End of Gold Finch pavement	CE	N	Y	Y	Install proper CE
on Meadow Lark between Finley & Gold Finch	CIP	Y	N	Y	CIP not fully covering inlet
Finley	CIP's	Y	N	Y	clean CIP and sediment built up on roads + make sure they cover inlets

2003065

by: Ryan Ward

Title: Aquatic Ecology

Date: 11-22-05

Signature: Ryan Ward

Rain Event: Y/N Date: 11-22-05

Project: Meadows & Culpeper

If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

5004

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
ENTIRE SITE	CIP'S	Y	N	Y	CLEAN/REPAIR ALL CIP'S
SILVER BELL	SF	Y	N	Y	CURB SF DOWN CLEAN/REPAIR
GOLD PINK	TS	Y	Y	Y	STABILIZE ALL DENUDED AREAS
MENDOTA LAKE	SF	Y	N	Y	REPAIR/CLEAN FAILURE SF
FINLEY	SF	Y	N	Y	REPAIR/CLEAN SF ON CURB PERIMETER
LOT 93 & 94	TS	Y	Y	Y	STABILIZE DENUDED AREAS
LOT 93 & 94	SF	Y	N	Y	REPAIR/CLEAN SF

200366

Signature: STEVEN SIMPSON

Title: ENVIRONMENTAL TECH  
Rain Event: Y/N Date: \_\_\_\_\_

Date: 11/2/05  
Project: WATER MANAGEMENT @ CILBERT

If incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

Phase 4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Entire Phase	CIPS	Y	N	Y	Entire Phase Needs Clean/Repair
Bottom SSF D1 School	SSF	Y	N	Y	clean SSF
Between Phase 3 and 4	SSF/SF	Y	N	Y	Repair/Clean
End of Bella	CE	N	Y	Y	Install CE/Wash RD
Entire Site	TS	Y	N	N	TS Deviated area

200367

by: Joe Leason  
Signature: [Signature]

Title: SW Manager  
Rain Event: ☒ Y/N Date: 10-25-05

Date: 10-25-05  
Project: Meadows of Collier

I certify that the site is in compliance with the provisions of the SWPPP and Permit.

SWPPP Record of Site Inspection  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Finney	CIP's	Y	N	Y	clean CIP's
Bottom perimeter By school	SSF	Y	N	Y	clean SSF
4	CE's	Y	N	Y	stabilize CE's
Per. Between 3141	SSF	Y	N	N	clean SSF
End of Belle	CE	Y	N	Y	Mud on rd
4	SF	Y	N	N	SF down in areas
Entire phase	TS	Y	N	N	TS inactive areas

2CU368

ne: Jack D

nature: Exterior

Title: Drainage

Rain Event: Y/N Date: 10/22

Date: 10/23

Project: Meadows @ CVB

no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

PHASE 4

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
NORTH PERIMETER BERM	TS	Y	Y	Y	STABILIZE W/TS & TRACK & GRADE IN
<del>GOLDEN FINCH</del> MEADOW LARK	ROAD	Y	N	Y	CLEAN ROAD
BETWEEN LOTS 162 & 148 UP SLOPE	IP	Y	N	Y	REPAIR IP & REMOVE EXCESS SEDIMENT
BETWEEN 162 & 148	CD	Y	Y	Y	FILL EROSIONAL CHANNEL & INSTALL CHECK DAMS
GOLD FINCH & FINELY	SF/CIP	Y	Y	Y	INSTALL SF BACKING FOR CIP
SEDIMENT BASIN	SB	Y	Y	Y	EXCAVATE SILT PLUME & REPAIR LOW FLOW PIPE, STABILIZE ALL DENUDED AREAS

2CU369

Signature: SARAH SIMPSON

Title: ENVIRONMENTAL TECH

Date: 10/11/05

Rain Event: Y/N Date: 10/11-10/11

Project: MEADOWS & CLIPPER

I certify that the site is in compliance with the provisions of the SWPPP and Permit.

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

4

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Entrance @ Finley	SF	Y	N	Y	SF down
Culverts in Back corner	CIP	Y	N	Y	CIP Broken
11	SF	Y	N	Y	SF down
Perimeter 11	SSF	Y	N	Y	clean/reinstall SSF
	CIP's	Y	N	Y	many CIP's open/broken
Between 3+4	SSF	Y	N	Y	clean SSF
End of Belle Ave	CE	Y	N	Y	mud on rd.
Entire project	TS	Y	N	N	TS denuded areas

name: Jack D.

Title: Biologist

Date: 10/7

nature: Johnny C. Bell

Rain Event: Y/N Date: 10/7/05

Project: Madison @ CJP

no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit

2003070

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Perimeter Bottom Corner	SSF	Y	N	N	Clean SSF
CE's	CE's	Y	N	N	Mud on roads
Perimeter between Phases 3 & 4	SSF	Y	N	N	SSF needs repair/clean in areas
Entire Phase	TS	Y	N	N	TS inactive areas

2CU371

e: Zach D Title: Bidlog Date: 9/26/05  
 iture: Zach D Rain Event: Y/N Date:   Project: Meadow R. Corp.  
 incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

IV

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Btm. Cranberry + Meadow Lark	TS	Y	Y	N/Y	Stabilize Stockpile + dormant for sodings -
All CIP's	CIP	Y	Y	Y	Install SF backing around curb inlets
Entire Section	TS	Y	Y	Y	Stabilize all denuded-graded areas
East Perimeter at bottom of site	SSF	Y	Y	Y	Connect SSF to berm as 10' run SSF up slope
SWM Pond	SWM Pond	Y	N	Y	Dredge sediment Pond - + Stabilize denuded areas
Lot 102	IP	Y	N	Y	Clear all accumulated sediment from lot + stabilize up slope
Access road off of paved Road	CE	Y	Y	Y	Install CE's @ all access points for lots off of roads

2CU372

Prepared by: Eric Lubes  
Reviewed by: Eric Lubes

Title: Agroecologist  
Rain Event: Y / N Date:                     

Date: 9/10/05  
Project: Meadow + Cranberry

If incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.



**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

4

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Gold Finch	CE	Y	N	N	Mud on road
Meadowlark Ave	SF	Y	N	N	Fix SF
11	CIP	Y	Y	Y	Need CIP
End of Belle Ave.	EE	Y	N	N	Mud on road
along developed side	SSF	Y	N	N	SSF needs clean inverts
Below Pond by school	SSF	Y	N	Y	Fix SSF
Corner by school	SSF	Y	N	N	1
Entire Phase	TS	Y	N	N	Stabilize inactive areas

Name: Zach D

Title: Biologist

Date: 8/29

Signature: [Signature]

Rain Event: Y/N Date: 8/26/05

Project: Meadows E. Cwp.

2 CU373

In compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

4

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
All open curb inlets	CIP	Y	Y	Y	Install CIP's - rock gabion's w/ Bldg + 2x4 backing; wrap SF around back of CIP
All Graded Denuded Lots + slopes	TS	Y	Y	Y	Stabilize all graded denuded areas or wrap w/ SF
Stockpile btw. Cranberry + Meadow Lark	TS	Y	Y	Y	Stabilize stockpile
Sediment Pond	OP	Y	Y	Y	Clean/Dredge plume of sediment from TSB + clean OP
SSF @ Bottom near creek	SSF	Y	N	Y	Clean all sediment from SSF + stabilize up slope
Finley North of Meadow Lark	CIP	Y	Y	Y	Clean accumulated sediment from road/curb + install OP

200374

By: Eric Forbes  
Title: Eric FL

Title: Aquatic Ecologist  
Rain Event: Y/N Date: 8/16

Date: 8/18/05  
Project: Meadows at Culpeper

incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Phase **IV**

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Stockpile Btw Cranberry + Meadowlark	TS	Y	Y	N	Stabilize stockpile within 7 days & deconstruct
Cranberry + - All Roads -	CIP	Y	Y	Y	Install CIP's along curb + SF backing behind
Slopes + Berms	TS	Y	Y	N/Y	Stabilize all slopes + Berms that are graded
Bottom back corner near stream	SSF	Y	N	Y	Clean off sediment from SSF + stabilize lots above
All main Entrances to Phase	CE	Y	Y	Y	Install large CE's for all main Entrances + clean pavement

200375

Signature: E. Forbes

Title: Aquatic Ecologist

Date: 8/10/05

Signature: [Signature]

Rain Event: Y/N Date: 8/14-8/19

Project: Meadows at [unclear]

incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

VI

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Slopes	TS	Y	Y	N	stabilize slopes after grading
Cranberry	CIP's	Y	Y	Y	Install CIP's w/ SF bedding
Entrances	CE	Y	Y	Y	Install CE's for entrances

2CU376

Signature: Eric Forbes

Title: Aquatic Ecologist  
Rain Event: Y/N Date:           

Date: 8/5/05  
Project: Meadow's of Cooper

If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

VI

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Entire phase	TS	Y	Y	N	Stabilize all denuded areas
Cranberry	CIP's	Y	Y	Y	Install CIP's + SF behind inlets
"	SF	Y	Y	Y	Install perimeter controls or stabilize denuded areas

Name: Eric Forbes

Title: Aquatic Ecologist

Date: 7/23/05

Signature: Eric Forbes

Rain Event: Y / N Date: \_\_\_\_\_

Project: Meadows of Culpoper

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

2CU377

4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Pond	SSF	Y	N	Y	SSF covered w/ mud, clear & replace
Pond	OP	Y	N	N	silt plug in pond
Pond	SSF	Y	N	N	SSF covered - remove mud.
North <del>rest</del> <sup>rest</sup> <del>side</del> <sup>side</sup>	SSF	Y	N	N	Remove mud piled on SSF
Entire phase	SF	Y	N	N	All SF around storm sewers needs clean / repair
" "	TS	Y	N	N	stabilize in active areas
Meadow land	CE	Y	N	N	mud on Road
North rest side	SF	Y	N	N	clean mud

Name: Joseph T. Ivers

Title: Aquatic Ecologist

Date: 7/8/05

Signature: [Signature]

Rain Event: Y/N Date: July 7-8, 2005 Project: Meadows of Culpeper

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Bottom corner	SSF	Y	N	Y	SSF Down SSF needs clean
End at Gold Finch	SSF	Y	N	N	Clean SSF
End at Belle By trees	SF	Y	Y	N	Install SF around perimeter
Meadowlark	CE	Y	N	N	Mud on road
Between phase 3 + phase 4	SSF	Y	N	N	Clean + repair SSF in areas
Entire phase	TS	Y	N	N	stabilize inactive areas

Name: Jack DeBoltTitle: biologistDate: 6/29/05Signature: [Signature]Rain Event: (Y) N Date: 6/29/05Project: Meadows @ Culpeper<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

Sec. 4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
CD at outflow to pond	CD	Y	N	N	add stone (surge stone) to CD at outflow into pond
Perimeter behind lots 104-106	SSF	Y	N	N	clear sediment from SSF to below 1/2 height of SSF
stock pile	TS	N	Y	N	TS stock pile
Entrance to site at Finley Dr	CE	Y	N	Y	Add stone/install CE clear sediment from Road

Name: Chris Ruck

Title: Natural Resource Specialist

Date: 6/20/05

Signature: Chris Ruck

Rain Event: Y / (N) Date:                     

Project: Meadows of Calpepper

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

2CU380



4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Between phase 3 & 4	SSF	Y	N	N	Clean SSF if over 2 covered
11	CE	Y	N	N	Mud on Road
Below SWM Pond	SSF	Y	N	Y <del>or</del>	Fix broken SSF
Bottom Corner School	SSF	Y	N	Y	11, clean SSF
Along Tree Line	SSF	Y	N	Y	Fix SSF
Entire Phase	TS	Y	N	N	Stabilize inactive areas
By Tree roots	SF	Y	N	N	Fix SF

Name: Zachary De GaultTitle: BiologistDate: 6/10Signature: Zachary De GaultRain Event: DN Date: 6/9/05Project: Meadows & Culp

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

2CU381

Phase IV

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Active clearing + grubbing

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
CG @ end of Finley	CE	Y	Y	N	install CE, clean road
	CE	Y	Y	N	install CE, clean road
entire phase	TS	Y	N	N	stabilize inactive slopes/berms
stock piles	TS	Y	N	N	stabilize stock piles
along perimeter in back	SSF	Y	N	N	repair SSF
il near creek	SSF	Y	N	Y	Sediment overflowing SSF
perimeter in corner	SSF	Y	N	N	clean SSF

Name: Bryan SchardtTitle: biologistDate: 6/3/05Signature: [Signature]Rain Event: 0/N Date: 6/3Project: Meadows of Culpeper<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

Phase 4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
along fence by CE	SSF	Y	N	N	clean SSF
" by SWS pond	SSF	Y	N	Y	sediment has been blown down
back corner of site	SSF	Y	N	Y	SSF down, needs repair
along treeline	SSF	Y	N	N	remove dirt
manholes near corner of site	manhole cover	Y	N	N	cover manhole
sewer above inlet for SWS pond	manhole	Y	N	N	cover manhole
inlet to pond	rip/rip	Y	Y	N	rip/rip needed
by strips	CE	Y	N	N	Stabilize (mud on roads) inactive areas

Name: Bryan Schuler  
Signature: Bryan Schuler

Title: biologist  
Rain Event: Y/N Date: 5/24

Date: 5/25  
Project: Meadows at Capeer

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

20U383

4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
End of Belle Behind Cranberry	SF	Y	N	N	Fence Down
Belle Ave	Const. Entrance	Y	N	N	Mud on Roads
Belle Ave b. Meadow Creek	EIP	Y	N	N	Fix CIP
Below SWM Pond	SSF	Y	N	Y	Fence needs clean + repair
Bottom Corner	SSF	Y	N	Y	Clean/repair SSF.
Along tree line	SSF	Y	N	Y	SF Down in areas covered
Entire Phase	TS	Y	Y	N	TS in inactive areas
Behind lots along Colbitail	SSF	Y	N	N	Fix/clean SSF in areas

Name: Jack D.  
Signature: [Signature]

Title: Biologist  
Rain Event: DN Date: 5/20

Date: 5/23  
Project: Meadows Culp

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit.

2CU384

phase 4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
bottom of below property line	SSF	Y	N	N	needs repair along areas
bottom corner	SSF	Y	N	<del>Y</del>	"
end of finaly	CE	Y	N	N	mud on roads
entire phase	TS	Y	N	N	stabilize any inactive areas
Belle Ave	CE	Y	N	N	Mud on roads
Belle Ave	SF	Y	N	N	SF down in areas by root stumps
along phase 3	SSF	Y	N	N	SSF down in areas

Name: Bryan Schuster

Title: envr. scientist

Date: 5/16

Signature: Bryan Schuster

Rain Event ☒ Y ☐ N Date: 5/15

Project: Mendota College

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit

2C0385

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Phase 4

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Below Swan Pond	SSF	Y	N	N	repair SSF
Bottom corner	SSF	Y	N	N	11 / clean SSF
Entire Phase	ETS	Y	N	N	Stabilize inactive areas
By phase 3	SSF	Y	N	N	Clean out fence in areas
By root weeds	SF	Y	N	N	repair perimeter SC

Name: Zack D.

Title: Biologist

Date: 5/3

Signature: *[Handwritten Signature]*

Rain Event ☒ Y ☐ N Date: 5/2/05

Project: Meadows @ Copper

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit

Phase 4

SWPPP Record of Site Inspection  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
End of Belle Ave	SF	Y	N	N	S.F. down along perimeter
"	Coast. Eut.	Y	N	N	Stabilize coast. entrances. Mud on roads
Entire Phase 4					Stabilize inactive areas
End of Goldfinch	SSF	Y	N	N	SSF needs clean out around perimeter
Bottom of phase	SSF	Y	N	N	"

Name: Zack D

Title: Biologist

Date: 4/22

Signature: Zack D

Rain Event ☒ Y / ☐ N Date: 4/22

Project: Meadows @ Culpeper

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit

2CU387

Phase

4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Entire site					Stabilize inactive areas

Name: Zack De Groot

Title: Biologist

Date: 4/8/05

Signature: [Signature]

Rain Event: ☒ N Date: 4/7/05

Project: Meadows @ Culpeper

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit

2CU388



Phase 4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location:	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Entire area					Stabilize inactive areas

Name: Zack DeLuca

Title: Biologist

Date: 4/5/05

Signature: [Signature]

Rain Event ☒ Y ☐ N Date: 4/2/05

Project: Meadows @ Culpeper

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit

Phase 6

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N) <sup>1</sup>	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
Inactive Entire site	-	Y	N	N	Stability, inactive areas

Name: Zack De Graft

Title: Bidger

Date: 3/29

Signature: [Signature]

Rain Event 0/N Date: 3/28/05

Project: Meadows of Culpeper

<sup>1</sup> If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit

2CU390

Page 4

**SWPPP Record of Site Inspection**  
(Attach as many sheets as necessary, including maps)

Location	Control Measure			Incident of Non-Compliance (Y/N)	Comments
	Type	Maintenance Required (Y/N)	Additional BMP Req'd (Y/N)		
End of Belle Rd.	SF	Y	N	N	S.F. Down around perimeter
11	Stabilize	Y	N	N	Stabilize inactive areas

Name: Zack D.Title: BiologistDate: 3/24/05Signature: Zack D.Rain Event: DN Date: 3/23/05Project: Meadows of Culp

If no incidents of Non-Compliance have been noted above, I certify that the site is in compliance with the provisions of the SWPPP and Permit

2CU391



Exhibit E


Record of Contractor Certification

2CU393

### Contractor Certification

"I certify under penalty of law that I understand the terms and conditions of this Virginia Stormwater Management Program (VSMP) general permit that authorizes the storm water discharges from the construction activity identified as part of this certification."

Site: MEADOWS OF CULPEPER  
Project: MEADOWS OF CULPEPER

Contractor #	2701037404 A
Name:	TOM KNIGHT
Title:	VICE PRESIDENT
Firm:	SUMMIT USA LAND DEVELOPMENT
Address:	8420 QUARRY ROAD MANASSAS, VA 20110
Telephone #	703-367-9456
Date:	11-30-05
Signature:	

Contractor #	
Name:	
Title:	
Firm:	
Address:	
Telephone #	
Date:	
Signature:	



Exhibit F

Authorized Representative Letter to DEQ

2CU396





**MEMORANDUM**

**DATE:** November 29, 2005

**TO:** K. Hovnanian Homes of VA, Inc.  
4090-A Lafayette Center Drive  
Chantilly, VA 20151

**FROM:** Virginia Waters & Wetlands, Inc.  
P.O. Box 819  
Nokesville, VA 20182

**RE:** Meadows of Culpeper SWPPP Exhibit F (Authorization Letter to DCR)

Exhibit F of the Stormwater Pollution Prevention Plan requires the permittee to insert a copy of the Authorization letter to DCR where K. Hovnanian Homes of Virginia, Inc. transferred responsibility of stormwater compliance to a third party. K. Hovnanian Homes of Virginia, Inc. did not transfer responsibility for the compliance of Meadows of Culpeper. Therefore, this memorandum serves as notification that Exhibit F is not applicable to the project.

**2CU397**



Exhibit G

Wetland Permit Information

2CU399



DEC 01 2004

## COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr.  
Secretary of Natural Resources

Northern Virginia Regional Office  
13901 Crown Court  
Woodbridge, VA 22193-1453  
(703) 583-3800 fax (703) 583-3801  
www.deq.state.va.us

Robert G. Burnley  
Director

Jeffery A. Steers  
Regional Director

November 22, 2004

Mr. Danny A. Lyons  
Washington Homes, Inc.  
4090-A Lafayette Center Drive  
Chantilly, Virginia 20151

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Re: VWP General Permit Authorization Number WP4-04-1664, Meadows of Culpeper, Culpeper County, Virginia,  
Final VWP General Permit Authorization

Dear Mr. Lyons:

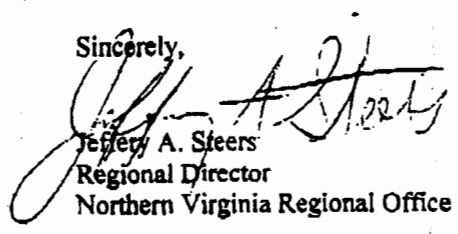
The Virginia Department of Environmental Quality (DEQ) has reviewed your application dated May 11, 2004 and received by DEQ on May 12, 2004 and has determined that the proposed Meadows of Culpeper project is covered under the VWP General Permit Number WP4. The application was deemed complete on August 30, 2004. In accordance with 9 VAC 25-690-60.D, if the Board fails to act within 45 days of receiving a complete application, the applicant receives authorization to proceed with the project as described in the submitted Joint Permit Application (JPA). Since DEQ staff did not complete processing this application before the 45-day deadline, the project became authorized on October 14, 2004. The enclosed copy of the VWP general permit authorization contains the applicable limits, reporting requirements and other conditions of coverage. I have also attached a Compliance Summary Sheet for your convenience. Please note that you are responsible for compliance with all of the conditions of the authorization and not just the items on the summary sheet.

Please be advised that no work in jurisdictional areas can begin until the permittee receives the appropriate authorization or permit from the U.S. Army Corps of Engineers.

Your coverage under the authorization expires five years from the permit's authorization date. Please note that coverage under this authorization may be extended at the Board's discretion. If the authorized activity has not been completed and you wish to obtain an extension, sufficient time should be allowed for the Board's decision. otherwise coverage will expire on the original date.

If you have any questions, please contact Beth Sprenkle at (703) 583-3848.

Sincerely,

  
Jeffery A. Steers  
Regional Director  
Northern Virginia Regional Office

Enclosures: Cover Page, VWP General Permit Authorization, Compliance Summary Sheet, Virginia Aquatic  
Resources Trust Fund Payment Voucher

cc: Mr. Douglas Finch, Engineering Consulting Services, Ltd.  
Ms. Anna Oliver, U.S. Army Corps of Engineers, Dumfries Field Office

2CU400



DEPARTMENT OF THE ARMY  
NORFOLK DISTRICT, CORPS OF ENGINEERS  
FORT NORFOLK, 803 FRONT STREET  
NORFOLK, VIRGINIA 23510-1096

MAR 01 2005



COPY

March 7, 2005

Northern Virginia Regulatory Section  
04-R3957 (Hidens Branch tributary)

Washington Homes  
Attn: Mr. Daniel Lyons  
4090-A Lafayette Center Drive  
Chantilly, Virginia 20151

Dear Mr. Lyons:

This is in reference to your request for a Department of the Army permit for the discharge of fill material into waters/ wetlands of the United States. The project consists of permanently impacting 0.33 acre of palustrine scrub-shrub wetlands and 762 linear feet of intermittent stream channel. The impacts are associated with a residential development and the installation of a stormwater management pond. The impacts are cumulative from the Meadows at Culpeper project phase 3 and 4. The approximately 88 acre project site is located north of Route 15 and west of Ira Hoffman Lane, northeast of the Town of Culpeper in Culpeper County, Virginia.

Based on our review of your permit application, we have determined that it qualifies for the Residential, Commercial, or Institutional Development Activity of the Norfolk District's State Program General Permit (SPGP-01, category C). Provided you adhere to the general and special conditions of the SPGP and the following conditions, no additional Corps permit will be required:

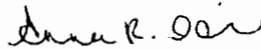
1. Work in jurisdictional waters/wetlands of the United States must adhere to the development plans submitted by Environmental Consulting Services and dated May 10, 2004.
2. **Prior to the commencement of work in jurisdictional waters/wetlands of the United States, you must provide proof to the COE that you have submitted \$41,735 to the Virginia Aquatic Resource Trust Fund as compensation for impacts to the 0.33 acre of palustrine scrub-shrub wetlands.**
3. **Prior to the commencement of work in jurisdictional waters/wetlands of the United States, you must provide proof to the COE that you have submitted \$130,302 to the Virginia Aquatic Resource Trust Fund as compensation for impacts to the 762 linear feet of intermittent stream channel.**
4. Enclosed is a "compliance certification" form, which must be signed and returned within 30 days of completion of the project. Your signature on this form certifies that you have completed the work in accordance with the SPGP's terms and conditions.

Your authorization to perform this work under the SPGP expires on March 7, 2010. If you find you need more time to complete the authorized activity, you should submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2CU401

If you have any questions, please contact Ms. Anna Oliver in the Warrenton Field Office at P.O. Box 911, Warrenton, Virginia 20188 and (540) 428-2864.

Sincerely,



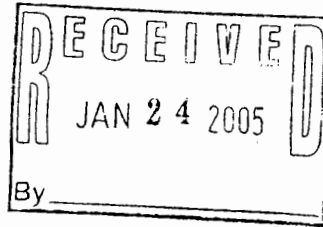
for Bruce Williams

Chief, Northern Virginia Regulatory Section

Enclosures

Cc: Environmental Consulting Services, Doug Finch  
Department of Environmental Quality, Joan Crowther  
Culpeper County, John Egerston

2CU402



January 19, 2005

Washington Homes, Inc.  
4090A Lafayette Center  
Chantilly, VA 20151

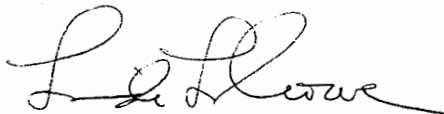
RE: Virginia Aquatic Resources Project, Permit #WP4-04-1664, HUC # 02080103

To Whom It May Concern:

This letter is to confirm that we received a check from Washington Homes, Inc. in the amount of \$172,037.00, related to the above-referenced project. We have credited these funds to the Virginia Aquatic Resources Trust Fund account. Please be advised that this payment is not deductible as a charitable contribution.

Thank you for your payment to the Virginia Aquatic Resources Trust Fund.

Sincerely,

  
Linda Lundquist Crowe  
Director of Land Protection

LLC: raw

CC: Greg Culpepper, U.S. Army Corps of Engineers, Norfolk

2CU403





Exhibit H

Miscellaneous

(ie: County Inspection Reports etc.)

2CU405



## MEMORANDUM

**DATE:** November 29, 2005

**TO:** K. Hovnanian Homes of VA, Inc.  
4090-A Lafayette Center Drive  
Chantilly, VA 20151

**FROM:** Virginia Waters & Wetlands, Inc.  
P.O. Box 819  
Nokesville, VA 20182

**RE:** Meadows of Culpeper SWPPP Exhibit H (Town Inspection Reports)

Exhibit H of the Stormwater Pollution Prevention Plan requires the permittee to insert county/town inspection reports as part of the plan. K. Hovnanian Homes of Virginia, Inc. has not received any such inspection reports. Therefore, this memorandum serves as notification that the required Exhibit H is not applicable to the project currently. The Town of Culpeper Erosion and Sediment Control Inspector, Hank Milans (phone: 540.829.8260) has only provided verbal comment to K. Hovnanian Staff regarding Erosion and Sediment Control onsite.

2CU406



## MEMORANDUM

**DATE:** July 11, 2005

**TO:** Mr. Blake Horning  
K. Hovnanian Homes of VA, Inc.  
4090-A Lafayette Center Drive  
Chantilly, VA 20151

Via Fax: 703.631.4819

**FROM:** Eric Forbes  
Virginia Waters & Wetlands, Inc.  
P.O. Box 819  
Nokesville, VA 20182

**RE:** Meadows of Culpeper SWPPP Box Key & Information

The Stormwater Pollution Prevention Plan box is now onsite at Meadows of Culpeper. There are three keys, one under the box (on the lip), one enclosed, and one with Virginia Waters & Wetlands, Inc. The keys for each job have the initials for the job written on them. Please place updated books in the corresponding boxes. We will furnish and place copies of the plan sheets that are required as requested. The box has your number as the contact person and SWPPP clearly stated.



ie: Ridgeview Estates Box

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2CU407

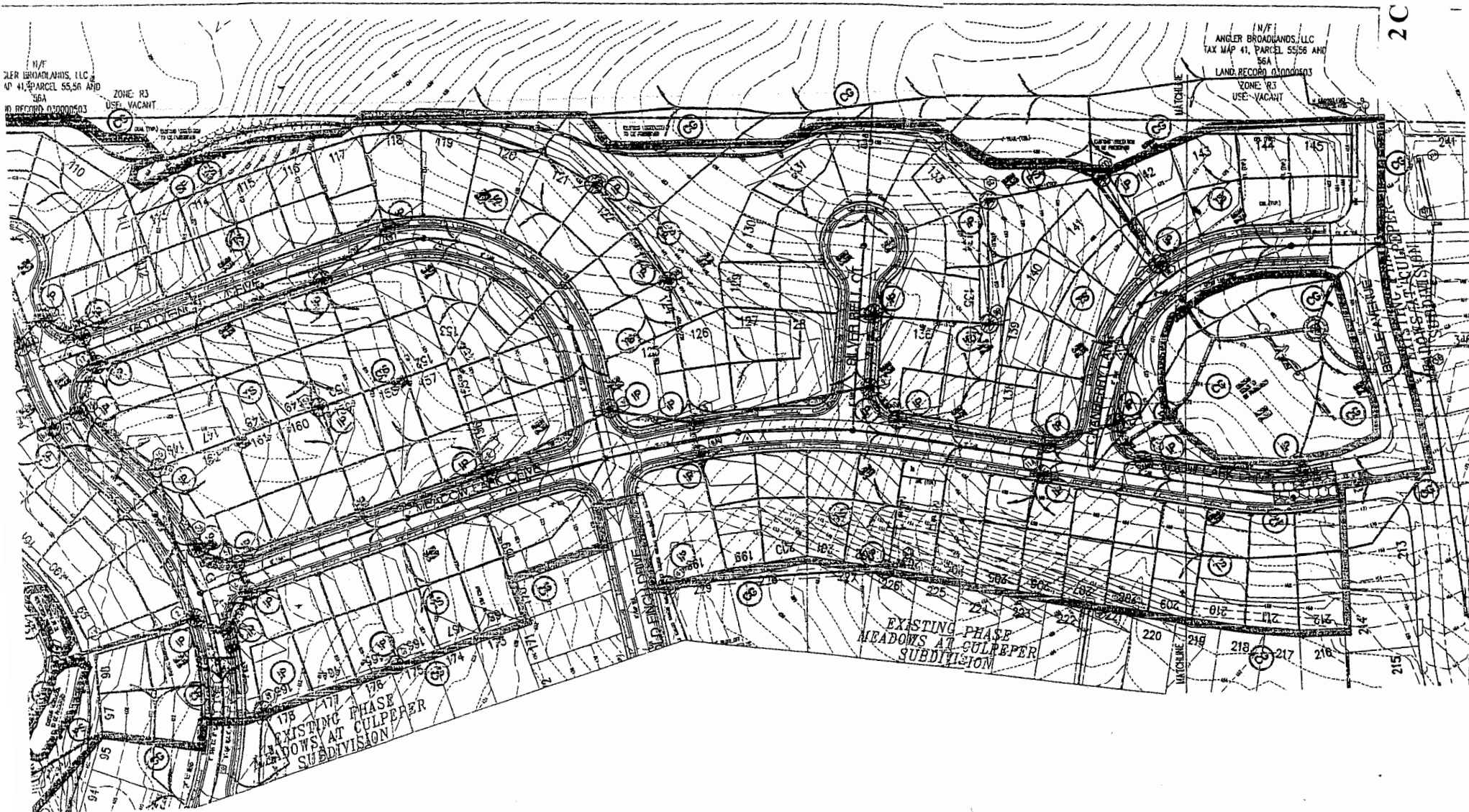


Exhibit I

Base Map

N/F  
2LER BROADLANDS, LLC  
AP 41, PARCEL 55,56 AND  
56A  
IN RECORD 030000503  
ZONE: R3  
USE: VACANT

N/F  
ANGLER BROADLANDS, LLC  
TAX MAP 41, PARCEL 55,56 AND  
56A  
LAND RECORD 030000503  
ZONE: R3  
USE: VACANT



2CU410